

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
JOSEPH BOOK,	)	
Plaintiff	)	
	)	
V.	)	Civil Action No.
	)	04CV-11557 RCL
	)	
DEPARTMENT OF STATE POLICE,	)	
COMMONWEALTH OF MASSACHUSETTS,	)	
and STATE TROOPER KURT M. FERRAZANI,	)	
STATE TROOPER MACKENZIE, and STATE	)	
TROOPER HENNIGAN,	)	
Defendants	)	
_____	)	

**ASSENTED-TO MOTION TO EXTEND DISCOVERY DEADLINE**

Plaintiff Joseph Book respectfully moves to extend the deadline for completing depositions and other discovery in the above-referenced matter for a period of four (4) weeks. In support of this Motion, Plaintiff states as follows:

1. A final pre-trial conference was conducted in this case on June 8, 2006. At that time, the District Court (Lindsay, J.) granted a motion to withdraw by Plaintiff's prior counsel, and directed Plaintiff to retain successor counsel. The Court also directed Plaintiff's deposition to be conducted by July 28, 2006, and scheduled this matter for trial on September 25, 2006. Thereafter, Defendants noticed Plaintiff's deposition for July 26, 2006.

2. Following the conference, Plaintiff retained undersigned counsel, who filed a Notice of Appearance on July 18, 2006. At that time, undersigned counsel attempted to contact Defendants' attorney to discuss the scheduling of Plaintiff's deposition. Due to a previously scheduled deposition in a case pending in the United

States District Court for the District of New Hampshire, Enterasys Networks, Inc. v. DNPG, LLC, et al., Civil Action No. 04-CV-209-B, Plaintiff's counsel was not available on July 26, 2006.

3. Due to scheduling conflicts, counsel were unable to confer about this matter until July 25, 2006. At that time, Defendants' counsel, Joseph Kittredge, Esq., agreed to re-schedule Plaintiff's deposition, and further assented to Plaintiff's request to extend the discovery deadline beyond July 28, 2005, so as to provide undersigned counsel with an adequate opportunity to review the case. Counsel have agreed to work expeditiously to identify mutually convenient dates in August for the deposition of the Plaintiff, and other remaining witnesses.

4. In light of the facts set forth, Plaintiff respectfully requests that the deadline for conducting depositions in this matter can be extended for four (4) weeks.

WHEREFORE, Plaintiff requests that this Honorable Court issue an Order:

- A. Granting Plaintiff's Assented-To Motion To Extend Discovery Deadline;
- and
- B. Granting such other relief as is just and proper.

Respectfully submitted,

JOSEPH BOOK

By his attorney,

Date: July 25, 2006

/s/ Christopher H.M. Carter  
Christopher H.M. Carter  
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**Certificate of Service**

I hereby certify that a copy of the foregoing was delivered to:

Joseph P. Kittredge, Esq.  
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/s/ Christopher H.M. Carter  
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